



EMPLOYMENT TRIBUNALS

Claimant: Mr E Johansson

Respondent: Endo UK Limited

Heard at: London South, by CVP **On:** 29, 30 January 2024

Before: Employment Judge Rice-Birchall
Ms Gledhill
Mr Townsend

Representation

Claimant: In person

Respondent: No appearance

JUDGMENT

Notice Pay

1. The complaint of breach of contract in relation to notice pay is well-founded.
2. The respondent shall pay the claimant £3666.66 as damages for breach of contract. This figure has been calculated using gross pay to reflect the likelihood that the claimant will have to pay tax on it as Post Employment Notice Pay.

Holiday Pay

3. The complaint in respect of holiday pay is well-founded. The respondent made an unauthorised deduction from the claimant's wages by failing to pay the claimant for holidays accrued but not taken on the date the claimant's employment ended.
4. The respondent shall pay the claimant £3046.15. The claimant is responsible for paying any tax or National Insurance.

Unfair Dismissal

5. The complaint of unfair dismissal is well-founded. The claimant was unfairly dismissed. However, no basic award or compensatory award is due to the claimant.

6. Indirect race discrimination
7. The complaint of indirect race discrimination is not well-founded and is dismissed.

Employment Judge **Rice-Birchall**
Date: **30 January 2024**

JUDGMENT SENT TO THE PARTIES ON
13 February 2024

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FOR THE TRIBUNAL OFFICE

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>